

REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully requested.

As amended above, the application currently includes elected claims 1-13, and new claims 39 and 40. Non-elected claims 14-38 are cancelled herein. The applicant reserves the right to present claims 14-38 in one or more divisional patent applications.

The disclosure was objected to because of a minor informality. As suggested by the Examiner, reference number “22” in page 4, line 21 has been changed to -- 28 --. It is requested that the objection to the disclosure be withdrawn.

Claim 1 was objected to because of an informality. As suggested by the Examiner, the term “distil” in line 6, claim 1, has been changed to -- distal --. It requested that the objection to Claim 1 be withdrawn.

Claims 1, 2, 10, 11 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 3,477,773 (Huber). For the reasons disclosed below, the applicant respectfully traverses this rejection.

In the office action (paragraph 5), the Examiner asserts that Huber discloses each of the elements recited in Claim 1. However, it appears that diaphragm 11 shown in Fig. 1 of Huber, while mounted above the valve seat, is not “located at an elevation above the upper most edge of the inlet,” as recited in Claim 1 of the present application. As shown in Fig. 1 of Huber, inlet 12 has an upper most edge that is disposed even with (elevation wise) with diaphragm 11.

In view of the distinguishing feature identified above, it is submitted that Huber does not anticipate Claim 1 of the present application. It is therefore requested that the rejection of Claim 1, as well as the rejection of claims 2, 10, 11 and 13 since they depend from claim 1, under 35 U.S.C. § 102(b) be withdrawn.

In addition, it is submitted that the particular features recited in claim 11 are also not disclosed in Huber. In particular, Huber does not disclose a threaded inlet and outlet. In paragraph 5 of the office action, the Examiner asserts that the air flow conduit in Huber has suitable connections by external threads, but it is not clear as to whether Huber discloses threaded inlet and outlet.

Claims 3, 4 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Huber in view of GB 2155593 (Ballu). Since claims 3-5 depend directly or indirectly from claim 1, and since Ballu does not disclose the aforementioned deficiencies of Huber, it is submitted that claims 3-5 are patentably distinct and unobvious over the combination of Huber and Ballu. It is therefore requested that the rejection of claims 3-5 be withdrawn.

In addition, it is submitted that the particular features recited in Claim 3 are not disclosed in either reference. The Examiner asserts that Ballu shows a male screw threaded cap 13. However, contrary to the Examiner's assertion, it is submitted that Ballu does not disclose a cap portion and a bolt portion with threaded screws for engagement with one another, as recited in Claim 3. Based on a careful reading of Ballu, there is no disclosure in this reference that states that the method of interconnection between the cap and ball is via a threaded connection. Rather, and based on Figures 2 and 3, it is possible that these components are coupled together via a press fit connection or other type of connection.

Therefore, it is submitted that Claim 3 is patentably distinct and unobvious over the combination of Huber and Ballu.

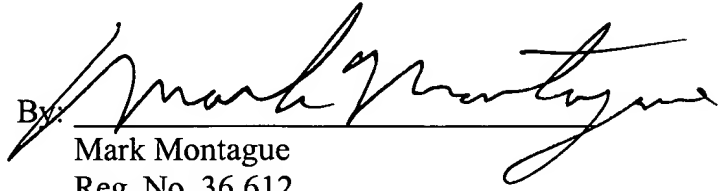
Claims 8, 9 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Huber in view of U.S. Patent 5,520,366 (Elliott). Since claims 8, 9 and 12 depend from Claim 1 and since Elliott does not disclose the aforementioned deficiencies of Huber, it is submitted that Claims 8, 9 and 12 are patentably distinct and unobvious over the combination of Huber and Elliott. It is requested that the rejection of Claims 8, 9 and 12 be withdrawn.

Claims 6 and 7 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. Claims 6 and 7 have been rewritten in independent form and include all of the limitations of the base claim and any intervening claims. It is requested that the rejection of Claims 6 and 7 be withdrawn.

New Claim 39 and 40 have been added. Claim 39 depends from Claim 1 and recites that the elevation of the valve seat is located below the upper most edge of a portion of the inlet located immediately adjacent to the internal cavity. New Claim 40 depends from Claim 39 and recites that the diaphragm is located above the portion of the inlet located immediately adjacent to the internal cavity. Support for new claims 39 and 40 is set forth in Fig. 2 of the drawings of the application. The allowance of new claims 39 and 40 is solicited.

In view of the foregoing amendments and remarks, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

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